

### **REMARKS**

The Office Action dated August 29, 2005 has been received and carefully noted. The above amendments to claims 23, 26, 30, 37, and 38 and the following remarks are submitted as a full and complete response thereto.

In accordance with the foregoing, no new matter is being presented, and approval and entry are respectfully requested. As will be discussed below, it is respectfully requested that all of claims 23-41 be found allowable as reciting patentable subject matter.

Claims 23-41 are pending and under consideration.

### **REJECTION UNDER 35 U.S.C. § 112:**

In the office action, at pages 2-5, claims 23-41 were rejected once again under 35 U.S.C. § 112, first and second paragraphs, as being indefinite and as failing to comply with the enablement requirement.

According to the office action, the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Also, on pages 2 and 3 of the office action, the examiner asserts that “an initiation of a call or a channel with a second network,” recited in the independent claims is not described in the Specification of the present invention and such recitation is confusing.

Upon review of the Specification and the claims, in response to the rejections presented in the office action, claims 23, 26, 30, 37, and 38 have been amended to further clarify the features recited therein. The claims have been amended to improve antecedent support and to improve the clarity of the features defining the present invention and in accordance with the description provided in the Specification. Clear support for the amendments and recitations of claims 23, 26, 30, 37, and 38 may be found, for instance, on paragraphs [0027] to [0029] and [0031] to [0050] as providing clear support for the amended recitations.

For instance, in accordance with paragraphs [0027] to [0029] of the Specification, a gatekeeper 7 acts as a network controller and is responsible, when a call is being established, for instructing the IMC 6 to allocate the respective communication channel between the BTS 5 and radiotelephone 4 to an available timeslot on the carrier frequency of the BTS's 5 transceiver. The gatekeeper 7 monitor calls established over the WIO network 2 and can initiate, in response to a predetermined condition, a change in data rate of a call within the WIO. Additionally, the gatekeeper 7 can combine two half speech rate channels on the same carrier in different timeslots onto the same timeslot.

The change in data rate is initiated by sending a control signal from the gatekeeper 7 to the respective radiotelephones 4 instructing the radiotelephones 4 to operate at either full speech rate or half speech rate. The moving of two half speech rate channels to a single timeslot is initiated by instructing the IMC 6 to control the hand-over.

Thus, as recited in independent claim 23, for instance, in response to an initiation of a call with a second network, a controller of a network is “configured to initiate a change in a data rate of a transmitting channel from the first data rate to the second data rate.” Applicants respectfully indicate that the recitations of independent claim 23 are clear further in view of the description provided in paragraphs [0027] to [0029] of the specification.

Furthermore, Applicants respectfully refer attention to paragraphs [0031] to [0050] providing detailed descriptions of the claimed invention in such a way as to enable one skilled in the art to make and/or use the invention.

Thus, in view of the foregoing, it is respectfully requested that the rejection to claims 23-41 be withdrawn.

### **CONCLUSION:**

In view of the above, Applicants respectfully submit that the claimed invention is clearly described in the Specification such a way as to enable one skilled in the art to make and/or use the invention. Because no cited prior art is presented and the Specification supports the claimed invention, Applicants respectfully request that each of claims 23-41 be allowed and that this application passes to issue.

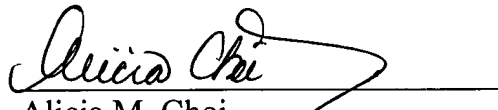
If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time.

Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

  
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